

Honorable J Richard Creatura

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

NATHEN BARTON,

Plaintiff
v.

JOE DELFGAUW, XANADU
MARKETING INC., EXPERIAN
INFORMATION SOLUTIONS INC.,
STARTER HOME INVESTING INC, &
JOHN DOE 1-10

CASE NO. **3:21-cv-05610-JRC**

MOTION FOR ENTRY OF
DEFAULT

COMES NOW Plaintiff Nathen Barton (hereinafter referred to as “Barton”) to ask this Court to note defendant Joe Delfgauw (“Delfgauw”), Xanadu Marketing Inc. (“Xanadu”), and Starter Home Investing Inc. (“Starter Home”) to be in default.

This Court granted Barton’s Motion to Amend (Dkts. 51, 56) on 12/29/21 (Dkt. 77).

Barton filed the Amended Complaint on 12/31/2022 (Dkt. 83) using the Electronic Filing (CM/ECF) system.

As of 1/18/2022 no defendant has Answered the Amended Complaint.

By FRCP 15(a)(3) they have 14 days after service of the Amended Complaint to answer.

1 By Plaintiff's calculation, today, January 18, 2022, is more than 14 days after the
2 Amended Motion to Dismiss was served on 12/31/2021, and Plaintiff has not received a
3 responsive pleading in the above captured action, nor has the Defendant or Defendant's counsel
4 asked for more time or sent Plaintiff an Answer to his Amended Complaint, or a further
5 responsive pleading. Plaintiff testifies to the same in the associated Declaration of Nathen
6 Barton.

7 Therefore, Plaintiff submits this motion for an entry of default.

8 s/ Nathen Barton

(signed)

1/18/2022

(Dated)

10 Nathen Barton
11 4618 NW 11th Cir
Camas WA 98607

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[PROPOSED] ORDER FOR ENTRY
OF DEFAULT

THIS MATTER came before the Court on Plaintiff's MOTION FOR ENTRY OF
DEFAULT. Having considered the matter, as well as the pleadings and records in the Court's
file and the relevant legal authorities, the Court is full informed. It is HEREBY ORDERED:

Defendants Joe Delfgauw, Xanadu Marketing Inc., and Starter Home Investing Inc. are in
default on the above captioned matter. The clerk of the Court is to enter each party's default.

Dated this _____ day of _____, 2022.

Judge of Federal Court
Western District of Washington

APPROVED AS TO FORM

s/ Nathen Barton
Nathen Barton, Pro Se